

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY INSURANCE  
COMPANY,  
ALLSTATE FIRE & CASUALTY INSURANCE COMPANY,  
AND ALLSTATE INDEMNITY COMPANY,

C.A. No. 7:20-cv-01959-KMK

Plaintiffs,

v.

JAMES A. SPINA II, D.C.,  
ANDREA GROSSMAN,  
KIMBERLY A. SPINA,  
MAELIEN SPINA,  
CATSKILL MEDICAL CARE, P.C. (d/b/a MIDDLETOWN  
PHYSICAL THERAPY AND PAIN MANAGEMENT),  
TAMMY GARCIA-KLIPFEL, ESQ., as personal representative of  
the Estate of HERBERT M. GARCIA, M.D., deceased,  
PHYSICAL MEDICINE & DIAGNOSTIC TESTING, P.C.,  
CLIFTON D. BURT, M.D.,  
CHARLES H. BAGLEY, M.D.,  
MIDDLETOWN PHYSICAL THERAPY, P.C. (d/b/a PHYSICAL  
THERAPY OF ORANGE COUNTY),  
ELEANORE B. ROBLES, PT (a/k/a ELEANORE B. ROBLES-  
PARAS, PT),  
MID HUDSON ACUPUNCTURE, P.C.,  
RALPH J. STORM, L.AC.,  
OPEN MRI OF MIDDLETOWN, L.L.C.,  
UPSTATE RADIOLOGY, P.C.,  
ACCREDITED MEDICAL SUPPLY INC.,  
EFFECTIVE MARKETING & COMMUNICATIONS, LLC,  
JMJ REALTY COMPANY, AND  
ROSWELL REALTY LLC,

Defendants.

**PROPOSED ORDER RELEASING ATTACHMENT ON REAL PROPERTY AND  
GRANTING ATTACHMENT ON PROCEEDS OF SALE OF 9 TURNER STREET,  
UNIT 11, CLEARWATER, FLORIDA 33756**

Upon consideration of Plaintiffs, Allstate Insurance Company, Allstate Property &  
Casualty Insurance Company, Allstate Fire & Casualty Insurance Company, and Allstate

Indemnity Company (collectively, "Allstate" or "Plaintiffs") Stipulation to release the attachment on real property and grant attachment on the proceeds of the sale of 9 Turner Street, Unit 11, Clearwater, Florida 33756, the Court, being duly advised and good cause having been shown, finds as follows:

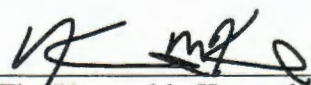
1. There is real property at 9 Turner Street, Unit 11, Clearwater, Florida 33756;
2. Allstate has a registered attachment on real property at 9 Turner Street, Unit 11, Clearwater, Florida 33756. (ECF No. 357);
3. The property at 9 Turner Street, Unit 11, Clearwater, Florida 33756, has been sold for \$487,000 less commissions and closing expenses;
4. The proceeds of the sale of 9 Turner Street, Unit 11, Clearwater, Florida 33756 closing are being held by First Title Source, subject to the attachment; and,
5. The proceeds of the sale of 9 Turner Street, Unit 11, Clearwater, Florida 33756, shall be released by First Title Source to Steven Jay Harfenist, the receiver of the Property authorized by the Court's Order (ECF. No. 356).

Therefore, IT IS HEREBY

**ORDERED** that Allstate's attachment on real property at 9 Turner Street, Unit 11, Clearwater, Florida 33756, be released;

**ORDERED** that First Title Source shall deliver the sale proceeds to Steven Harfenist, as the designated receiver, who shall distribute the funds in accordance with the parties' settlement agreement so ordered by the Court (ECF. No. 355-356).

**SO ORDERED**

  
The Honorable Kenneth M. Karas  
White Plains, New York

Date: 6/12/24